
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

CHRIS SEVIER, JOHN GUNTER JR., and
WHITNEY KOHL,

Plaintiffs,

v.

BRYAN E. THOMPSON, in his official
capacity as Clerk of Utah County; GARY R.
HERBERT, in his official capacity as
Governor of Utah; and SEAN REYES, in his
official capacity as Attorney General of Utah,

Defendants.

**MEMORANDUM DECISION AND
ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 2:16-cv-00659-DN

District Judge David Nuffer

The Report and Recommendation issued by United States Magistrate Judge Furse on January 26, 2018 recommends Plaintiffs' Amended Complaint¹ be dismissed for lack of standing and the Motion to Amend² be denied as futile for the same reasons.³

The parties were notified of their right to file objections to the Report and Recommendation within 14 days of its service pursuant to [28 U.S.C. § 636](#) and [Fed. R. Civ. P. 72](#). On February 8, 2018, Plaintiffs filed a Motion for Extension of Time.⁴ The Plaintiffs' Motion for Extension of Time was granted and the deadline to file objections to Magistrate Judge Furse's Report and Recommendation was extended to February 20, 2018.⁵ No party filed a

¹ Second Amended Complaint for Injunctive Relief, [docket no. 46](#), filed May 2, 2017.

² [Docket no. 93](#), filed December 12, 2017.

³ Report and Recommendation RE: Defendants' Motion to Dismiss, [docket no. 109](#), filed January 26, 2018.

⁴ [Docket no. 113](#), filed February 8, 2018.

⁵ Order Granting Motion for Additional Time to File, [docket no. 115](#), filed February 12, 2018.

written objection to the Report and Recommendation by the deadline. On February 26, 2018, Plaintiffs John Gunter, Jr. and Whitney Kohl filed objections.⁶ These objections are untimely and will not be considered. Therefore, the analysis and conclusion of the Magistrate Judge are accepted and the Report and Recommendation⁷ is adopted in its entirety.

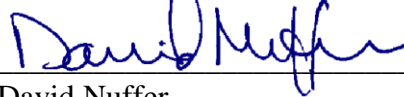
ORDER

IT IS HEREBY ORDERED that the Report and Recommendation⁸ is ADOPTED and this case is DISMISSED without prejudice.

The Clerk is directed to close the case.

Dated March 16, 2018.

BY THE COURT:



David Nuffer

United States District Judge

⁶ Plaintiff Gunter's Motion to Overrule the Magistrate's Report and Recommendation, [docket no. 118](#), filed February 26, 2018. Plaintiff Kohl's Motion to Overrule the Magistrate's Report and Recommendation, [docket no. 119](#), filed February 26, 2018.

⁷ [Docket no. 109](#), filed January 26, 2018.

⁸ *Id.*